



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/215,732	12/18/1998	KARLHEINZ DORN	P98.3059	1714

7590

04/11/2002

Schiff Hardrin & Waite  
Patent Department  
6600 Sears Tower  
Chicago, IL 60606-6473

EXAMINER

ANYA, CHARLES E

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 04/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/215,732

Applicant(s)

DORN ET AL.

Examiner

Charles E Anya

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1 - 5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1 - 5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112 2<sup>nd</sup>.***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112: 2<sup>nd</sup>.

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2 and 4 do not positively recite structural or functional relationships of the elements. Thus, the claims are incomplete and therefore indefinite and in this way does not conform to the requirements of 35 U.S.C. 112.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 2 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Prashant et. al.

As to claim 1, Prashant teaches an Object Oriented Computer program (see section 8, page 7 – 9, section 8), a Computer (see figure 1, page 2), a Generic Main (Generic main, main page 9, section 8.3, paragraph 1 – 2), a Configuration Component (ACE Service Configurator Framework, page 9, Section 8.3, paragraph 3), a Framework Connector (Connector, page 8, section 8.2, paragraph 1).

Art Unit: 2151

As claim 2, Prashant teaches a Service Configurator (Service Configurator, page "Service Configurator" page 9, section 8.3, paragraph 4), a Service Dispatcher (Reactor, page 11 – 12, section 10, paragraph 3), a Service Manager (The Manager Pattern, page 11 – 12, section 10, paragraph 2), a Service Repository (Service\_Repository , page 9, section 8.3, paragraph 3).

As to claim 5, Prashant teaches a Computer (see figure 1, page 2), a Generic Main Component (Generic main, main page 9, section 8.3), Configuring said generic main component at runtime with dynamic link libraries (netsvcs.dll:make\_Clerk (), netsvcs.dll:make\_Time\_Server (), page 9, section 8.3, paragraph 2), Generating a Service Configuration file (Sevrice\_Config damon, svc.conf file, page 9, section 8.3, paragraph 1 – 3), Loading the dynamic link libraries into the generic main (Sevrice\_Config damon, svc.conf file, page 9, section 8.3, paragraph 1 – 3), Inserting the generic main configured according to the service configuration file into programs running on said computer (Operating System, page 11, section 9, paragraph 2).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2151

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prashant in view of Gamma et. al.

As to claim 3, Prashant is silent with reference to the generic main being independent of an operating system of the computer until configured by the said configuration component.

Gamma teaches application/services (Clients) being independent of an operating system of the computer until configured by the said configuration component (Clients call these operations to obtain widget instances, but clients aren't aware of the concrete classes they're using" Page 87, Ln. 18 – 20, Page 24, Number 3). It would have been obvious to apply the teaching of Gamma to the system of Prashant. One would have been motivated to make such a modification in view of the suggestion of Gamma that this design limits platform dependency.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prashant in view of Schmidt.

As to claim 4, Prashant is silent with regards to a Socket, a upipe, and an npipe. Schmidt teaches a Socket (SOCK\_SAP, SOCK\_Dgram\_Brdcast, page 94, Ln. 5 – 19,), a Upipe (SPIPE\_SAP, page 96, Ln. 21 – 24), a Npipe (FIFO\_SAP, page 97, Ln. 9 – 11). It would have been obvious to apply the teaching of Schmidt to the system of Prashant. One would have been motivated to make such a modification in that SOCK\_SAP, SPIPE\_SAP, FIFO\_SAP encapsulates the standard I/O descriptor-based operating system local and remote IPC mechanism that offers connection-oriented and connectionless protocols.

Art Unit: 2151

***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 5,913,061 to Gupta et. al.

U.S. Pat. No. 5,893,106 to Brobst et. al

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M – F (First Friday Off) from 8:30 am to 5:30 pm.

The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
**ALVIN OBERLEY**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**

Charles E Anya  
Examiner  
Art Unit 2151